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### Listing of Claims

The following listing of claims will replace all prior versions, and listings, of claims in the subject application:

1. (currently amended) A facsimile apparatus that is connected to a network and has an ITU-T recommendation T.37 full-mode function for facsimile transmission of an image file processed by an image processor using parameters corresponding to a transmission mode, at least with a delivery confirmation request being attached to the image file, the facsimile transmission being carried out via the network, the facsimile apparatus comprising:

a destination information memory that stores ~~one of~~ reception capacity information of a selected transmission destination ~~and reception capacity information of the selected transmission destination contained in delivery confirmation mail sent from the selected transmission destination~~, the reception capacity information being associated with the mail address of the selected transmission destination;

a transmission mode memory that stores ~~[[the]]~~ transmission mode information indicating a transmission mode used for ~~[[the]]~~ a facsimile transmission accompanied by ~~[[the]]~~ a delivery confirmation request to the selected transmission destination; and

a controller ~~that causes the transmission mode memory to store the transmission mode used for the facsimile transmission accompanied by the delivery confirmation request~~, causes configured to cause to be stored in the destination information memory ~~to store~~ reception capacity information contained in ~~[[the]]~~ a delivery confirmation mail ~~[[sent]]~~ or other mail received from the selected transmission destination in response to the delivery confirmation request, ~~the reception capacity information being stored~~ as the reception capacity information of

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the selected transmission destination if the delivery confirmation mail or other mail received from the selected transmission destination includes the reception capacity information, and causes if the delivery confirmation mail or other mail received from the selected transmission destination does not include the reception capacity information but confirms that the facsimile transmission to the selected transmission destination has been properly completed, cause to be stored in the destination information memory ~~to store~~ the transmission mode information, already stored in the transmission mode memory, indicating the transmission mode used for the facsimile transmission to the selected transmission destination as a transmission enabling mode of the selected transmission destination ~~when the delivery confirmation mail does not contain the reception capacity information but confirms that the communication has been properly completed~~.

2. (currently amended) The facsimile apparatus as claimed in claim 1, wherein the controller causes the destination information memory to store the transmission mode information, which has already been stored in the transmission mode memory, indicating the transmission mode as a transmission disabling mode of the selected transmission destination, when the delivery confirmation mail sent from the selected transmission destination does not contain the reception capacity information but confirms that the communication failed.

3. (currently amended) The facsimile apparatus as claimed in claim 1, further comprising:

an image memory that stores image files for transmission; wherein

when an image file that has been processed by the image processor using parameters

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different from default parameters is facsimile-transmitted at least together with the delivery confirmation request, the controller keeps the image file in the image memory until the delivery confirmation mail is ~~[[sent]]~~ received from the selected transmission destination, and

when the delivery confirmation mail is ~~[[sent]]~~ received from the selected transmission destination reporting that the communication failed, the image processor converts the image file kept in the image memory into an image file corresponding to the default parameters, and the converted image file is facsimile-transmitted again to the selected transmission destination.

4. (currently amended) A facsimile apparatus that is connected to a network and has an ITU-T recommendation T.37 full-mode function for facsimile-transmitting an image file processed by an image processor using parameters corresponding to a transmission mode, at least with a delivery confirmation request being attached to the image file, the facsimile transmission being carried out via the network, the facsimile apparatus comprising:

destination information storing means for storing ~~one of~~ reception capacity information of a selected transmission destination ~~and reception capacity information of the selected transmission destination contained in delivery confirmation mail sent from the selected transmission destination~~, the reception capacity information being associated with the mail address of the selected transmission destination;

transmission mode storing means for storing ~~[[the]]~~ transmission mode information indicating a transmission mode used for ~~[[the]]~~ a facsimile transmission accompanied by ~~[[the]]~~ a delivery confirmation request to the selected transmission destination; and

controlling means for ~~controlling the transmission mode storing means to store the~~

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~~transmission mode used for the facsimile transmission accompanied by the delivery confirmation request, controlling~~ causing to be stored in the destination information storing means ~~to store~~ reception capacity information contained in ~~[[the]]~~ a delivery confirmation mail ~~[[sent]]~~ received from the selected transmission destination in response to the delivery confirmation request, ~~the reception capacity information being stored~~ as the reception capacity information of the selected transmission destination if the delivery confirmation mail or other mail received from the selected transmission destination includes the reception capacity information, and ~~controlling~~ if the delivery confirmation mail or other mail received from the selected transmission destination does not include the reception capacity information but confirms that the facsimile transmission to the selected transmission destination has been properly completed, causing to be stored in the destination information storing means ~~to store~~ the transmission mode information, already stored in the transmission mode storing means, indicating the transmission mode used for the facsimile transmission to the selected transmission destination as a transmission enabling mode of the selected transmission destination ~~when the delivery confirmation mail does not contain the reception capacity information but confirms that the communication has been properly completed.~~

5. (currently amended) The facsimile apparatus as claimed in claim 4, wherein the controlling means causes the destination information storing means to store the transmission mode information, which has already been stored in the transmission mode storing means, indicating the transmission mode as a transmission disabling mode of the selected transmission destination, when the delivery confirmation mail ~~[[sent]]~~ received from the selected transmission destination does not contain the reception capacity information but confirms that

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the communication failed.

6. (currently amended) The facsimile apparatus as claimed in claim 4, further comprising:

image storing means for storing image files for transmission; wherein

when an image file that has been processed by the image processor using parameters different from default parameters is facsimile-transmitted at least together with the delivery confirmation request, the ~~controller~~ controlling means keeps the image file in the image storing means until the delivery confirmation mail is sent from the selected transmission destination, and

when the delivery confirmation mail is received from the selected transmission destination reporting that the communication failed, the image processor converts the image file kept in the image storing means into an image file corresponding to the default parameters, and the converted image file is facsimile-transmitted again to the selected transmission destination.

7. (currently amended) A method of facsimile transmission using a facsimile apparatus that is connected to a network and has an ITU-T recommendation T.37 full-mode function for facsimile transmission of an image file processed by an image processor using parameters corresponding to a transmission mode, at least with a delivery confirmation request being attached to the image file, the facsimile transmission being carried out via the network, the method comprising the steps of:

storing, in a destination information memory, one of reception capacity information of a selected transmission destination ~~and reception capacity information of the selected~~

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~~transmission destination contained in delivery confirmation mail sent from the selected transmission destination~~, the reception capacity information being associated with the mail address of the selected transmission destination ~~and being stored in a destination information memory~~;

storing, in a transmission mode memory, ~~[[the]]~~ transmission mode information indicating a transmission mode used for ~~[[the]]~~ a facsimile transmission accompanied by ~~[[the]]~~ a delivery confirmation request ~~in a transmission mode memory~~;

determining whether a delivery confirmation mail or other mail received from the selected transmission destination in response to the delivery confirmation request includes reception capacity information;

if the delivery confirmation mail or other mail received from the selected transmission destination includes the reception capacity information, controlling the destination information memory to store the reception capacity information that is contained in the delivery confirmation mail ~~[[sent]]~~ or other mail received from the selected transmission destination, ~~the reception capacity information being stored~~ as the reception capacity information of the selected transmission destination; and

if the delivery confirmation mail or other mail received from the selected transmission destination does not include the reception capacity information but confirms that the facsimile transmission to the selected transmission destination has been properly completed, controlling the destination information memory to store the transmission mode information, already stored in the transmission mode memory, indicating the transmission mode used for the facsimile transmission to the selected transmission destination as a transmission enabling mode of the selected transmission destination, ~~when the delivery confirmation mail does not contain the~~

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~~reception capacity information but confirms that the communication has been properly completed.~~

8. (currently amended): The method of facsimile transmission of claim 7, further comprising:

storing in the destination information memory, the transmission mode information indicating the transmission mode used for the facsimile transmission accompanied by the delivery confirmation request, as a transmission disabling mode of the selected transmission destination, when the delivery confirmation mail from the selected transmission destination does not contain the reception capacity information and confirms that the communication has failed.

9. (previously presented): The method of facsimile transmission of claim 7, further comprising:

storing in an image memory an image file processed using parameters different from default parameters, until said delivery confirmation mail is received from said selected transmission destination;

converting said image file kept in said image memory into a converted image file corresponding to said default parameters, if said delivery confirmation mail received from the selected transmission destination indicates that the communication failed; and

transmitting the converted image file to the selected transmission destination.

10. (currently amended): The facsimile apparatus of claim 1, further comprising an image memory that stores image files for transmission, wherein the controller determines said

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transmission mode for said facsimile transmission, and when the transmission mode corresponds to ~~[[a]] the~~ transmission enabling mode, regular transmission is carried out and the transmitted image file is deleted from the image memory.

11. (currently amended): The facsimile apparatus of claim 1, wherein if the transmission mode information stored in the destination information memory for the selected transmission destination is neither does not indicate that the transmission mode is a transmission disabling mode ~~[[nor a]] or the~~ transmission enabling mode, said controller, prior to transmission, stores the image file in an image memory and attaches a delivery confirmation request to said image file for transmission.